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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/821,329

04/09/2004

Jorgen Bjorkner

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04/15/2005

BURNS DOANE SWECKER & MATHIS L L P

POST OFFICE BOX 1404

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EXAMINER

PHAN, TAM T

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/821,329	Applicant(s) BJORKNER, JORGEN	
	Examiner Tam (Jenny) Phan	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/15/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined. Claims 1-20 are presented for examination.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
3. The effective filing date for the subject matter defined in the pending claims which has support in parent SE 02/01826 in this application is 10/08/2002. Any new subject matter defined in the claims not previously disclosed in parent SE02/01826, is entitled to the effective filing date of 04/12/2004.

Information Disclosure Statement

4. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 07/15/2004, is attached to the instant Office action.

Drawings

5. The drawings are objected to under 37 CFR 1.83(a) because they fail to show appropriate labels as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

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be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godefroid et al. (U.S. Patent Number 6,697,840), herein after referred to as Godefroid in view of Kirmse et al. (U.S. Patent Number 6,669,125), hereinafter referred to as Kirmse.

8. Regarding claim 1, Godefroid disclosed a method for providing a user with a presence service (Title, Abstract), comprising: connecting a presence program logic to an application having addresses representing different objects (Abstract, column 2 lines 38-51, column 3 lines 9-21), comprising interfaces for extensibility and operating in a terminal belonging to the user; connecting said presence program logic to a presence

managing system (column 3 lines 9-21, column 4 lines 48-63); and utilizing at least one interface present in the application to integrate the presence service with the services of the application (column 3 lines 9-21, column 4 lines 48-63, column 5 lines 1-14).

9. Godefroid taught the invention substantially as claimed. However, Godefroid did not expressly teach connecting a presence program logic to an application not already having functions for presence service.

10. Godefroid suggested exploration of art and/or provided a reason to modify the presence service method with additional features such as connecting a presence program logic to an application not already having functions for presence service (column 2 lines 38-51, column 3 lines 35-50, column 10 lines 36-39).

11. Kirmse disclosed a method for connecting a presence program logic to an application not already having functions for presence service (Title, Abstract, column 4 lines 1-18, column 6 lines 49-63, column 7 lines 54-67).

12. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the presence service method of Godefroid with the teachings of Kirmse to connect a presence program logic to an application not already having functions for presence service in order to provide presence awareness for users of the application since presence information could be extremely valuable for quickly locating colleagues, or for reviewing agendas of ongoing meetings (Godefroid, column 2 lines 19-25) and since presence could go a long way toward alleviating problems like phone tag by informing distant colleagues about who is actually available, and when (Godefroid, column 26-37).

13. Regarding claim 2, Godefroid disclosed a method comprising: using an interface present in the application to retrieve addresses from an address list stored in the application for use in the presence services (column 2 lines 38-51, column 3 lines 9-21, column 8 lines 35-65).

14. Regarding claim 3, Godefroid disclosed a method comprising: traversing the address list by a traversing means in the presence program logic to find address properties relating to presence addresses (column 3 lines 9-21, column 8 lines 35-65).

15. Regarding claim 4, Godefroid disclosed a method comprising: utilizing an existing interface in the application to extend the address items in the address list of the application to also contain presence addresses (column 3 lines 9-21, column 8 lines 35-65).

16. Regarding claim 5, Kirmse disclosed a method comprising: utilizing an existing interface in the application to extend a toolbar in the application to comprise icons representing the presence states of members in a buddy list given by the user (Figures 14-15, column 8 lines 29-44, column 17 line 53-column 18 line 17).

17. Regarding claim 6, Godefroid disclosed a method comprising: utilizing an existing interface in the application to extend the user interface to include input means for the user to use when he wants to change his presence state (column 5 lines 1-14, column 6 lines 4-18).

18. Regarding claim 7, Godefroid disclosed a method comprising: connecting the presence program logic to a PIM application [calendar, email, phone] operating in the terminal (column 3 lines 9-21, column 8 lines 35-50).

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19. Regarding claim 8, Godefroid disclosed a method comprising: changing the presence state automatically depending on information in a calendar or a reminder list in the application, the interaction between the calendar or the reminder list and the presence program logic being performed through an interface already existing in the application (column 3 lines 9-21, column 8 lines 35-50).

20. Regarding claim 9, Godefroid and Kirmse disclosed a method comprising: adding at least one of an instant messaging, a telephone, and a video program logic to the application (Godefroid, column 2 lines 38-51, column 3 lines 9-21; Kirmse, column 3 lines 1-19, column 4 lines 11-32).

21. Regarding claim 10, Kirmse disclosed a method comprising: sending an instant message automatically depending on information in a calendar or a reminder list comprised in the application, the interaction between the calendar or the reminder list and the instant messaging program logic being performed through an interface already existing in the application (column 4 lines 11-32, column 6 lines 1-20, lines 49-63).

22. Regarding claims 11-20, the system corresponds to the method of claims 1-10, and thus these claims are rejected using the same rationale.

23. Since all the limitations of the claimed invention were disclosed by the combination of Godefroid and Kirmse, claims 1-20 are rejected.

Conclusion

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Cuomo et al. (U.S. Patent Number 6,148,328) titled "Method and system for signaling presence of users in a networked environment) disclosed a method

and system for signaling to a target user the presence of other users in a networked environment. More particularly, the present invention relates to a method and system by which a target user can become aware of the arrival, departure, and continued presence of other users at their respective hosts.

b. Ozzie et al. (U.S. Patent Number 6,640,241) titled "Method and apparatus for activity-based collaboration by a computer system equipped with a communications manager" disclosed a presence mechanism maintains and distributes, on request, the network connection status information, which it acquires from each of the network-capable devices. The connection status information can also include information maintained by a presence mechanism, such as a presence server, regarding the online/offline status of the remote device. The presence server can be part of the ABC system, and, e.g., responsible for sending the online/offline status information over the network to the communications manager.

c. Kimball et al. (U.S. Patent Number 6,704,031) titled "Toolbar tracking" disclosed Systems and techniques for tracking a graphical user interface toolbar by establishing a connection to a client; receiving a token including a unique tracking number corresponding to a toolbar item function from the client; and registering use of the toolbar item function. In one implementation, a subscriber's profile data includes, for example, the subscriber's buddy list, alert preferences, designated stocks, identified interests, and geographic location. The subscriber may enter, edit and/or delete profile data using an installed IM client application on the client system to interact with the subscriber profile server.

d. Dalal et al. (U.S. Patent Number 6,868,544) titled "Method and system for general-purpose interactive notifications" disclosed an Object-Based Contact List (OBCL) allows users to interact with multiple Notification Service Providers (NSP) on a network simultaneously. The NSPs provide smart events wherein notification of the user may be governed by response logic as defined in an NSP-based program. A notification often contains the latest state information on some data in which a user has an interest. Notification tools include software programs that are executed on a general-purpose computer connected to a communications network such as a buddy presence monitor in an instant messaging program running on a computer connected to the Internet. Similarly, notification tools include somewhat specialized hardware and software systems such as PDAs. Additionally, notification tools include dedicated communications hardware such as a pager.

25. Refer to the enclosed PTO-892 for details and complete listing of other pertinent prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (571) 272-3930. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William Cuchlinski

SPE

Art Unit 2144

(571) 272-3925

tp
April 6, 2005